

## Valdez, Heather

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**From:** Gallagher, Shirin  
**Sent:** Thursday, February 13, 2014 4:32 PM  
**To:** Valdez, Heather; Hedgpeth, Zach  
**Subject:** Pogo news

Heather & Zach

I just got off the phone with Pogo's attorneys; I had spoken to them last week about terms of settlement for operation in violation of the SO2 limit of CISWI. They told me that after briefing the facility management about CAFOs and citizen suits, and about potential penalties, that the facility has decided to shut down their new incinerator and to truck their waste to an off site landfill until such time as they can get the scrubber installed and operating. They're still working on the logistics of this but think they will start the trucking on March 1.

Anyway, they say they still intend to stick with their planned installation schedule for the scrubber and the follow up testing. Their attorney thinks this re-sets their CISWI compliance deadlines. I'm going to have to pull out the regs and see if I agree with that.

You might hear something about this from Sally, though I assume she will continue sending you materials to review about the installation & operation of the scrubber in the future.

This is a very strange turn of events! Let me know if you want to discuss. I need to close the loop with the enforcement folks about this development, also. And their attorneys said they don't see this decision as being driven by cost savings (as the cost of shipping is not going to be small) but rather by the company's desire to be in control of its compliance status.

-Shirin

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